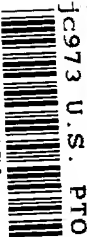


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JC973 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL
 (CONTINUATION CLAIMING BENEFIT OF PROVISIONAL APPLICATION)
 (New Nonprovisional Applications Under 37 CFR § 1.53(b))

Attorney Docket No.
 50277-1767

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

JC903 U.S. PTO
 10/040500



Transmitted herewith is the patent application of () application identifier or (X) first named inventor, David J. LONG, et al.,
 entitled CATEGORIES ON A PER INSTANCE BASIS for a(n):

() Original Patent Application.

(X) Continuing Application (prior application not abandoned):

- (X) Continuation () Divisional () Continuation-in-part (CIP)
 of prior application No: 09/853,823 Filed on: May 11, 2001, which claims the
 benefit of prior provisional application No: 60/204,196 Filed on: May 12, 2000.
 (X) A statement claiming priority under 35 USC § 120 has been added to the specification.

Enclosed are:

- (X) Specification: 45 Total Pages; (X) Drawing(s): 19 Total Sheets.
 (X) Oath or Declaration:
 () A Newly Executed Combined Declaration and Power of Attorney:
 () Signed. (X) **Unsigned.** () Partially Signed.
 () A Copy from a Prior Application for Continuation/Divisional (37 CFR § 1.63(d)).
 () Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the
 oath or declaration is supplied, is considered as being part of the disclosure of the accompanying
 application and is hereby incorporated herein by reference in its entirety for all purposes.
 () Signed Statement Deleting Inventor(s) Named in the Prior Application. (37 CFR § 163(d)(2)).
 () Revocation and Appointment of New Power of Attorney, which is copied from the prior application for
 continuation/divisional is supplied.
 (X) Return Receipt Postcard.
 () Associate Power of Attorney. (X) A Check in the amount of \$1,190.00 for the Filing Fee.
 () Preliminary Amendment. () Information Disclosure Statement and Form PTO-1449.
 (X) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
 (X) A Duplicate Copy of this Form for Processing Fee.
 () A Certified Copy of Priority Documents (if foreign priority is claimed).
 () Applicant(s) is entitled to small entity status. See 37 CFR 1.27.
 () Statement(s) of Status as a Small Entity Filed in Prior Application, Status Still Proper and Desired.
 (X) Other: Fee Transmittal (in duplicate)

| CLAIMS AS FILED | | | | |
|---|-----------|-----------|---------|-------------|
| FOR | NO. FILED | NO. EXTRA | RATE | FEE |
| Total Claims | 45 | 25 | \$18.00 | \$ 450.00 |
| Independent Claims | 2 | 0 | \$84.00 | \$ 0.00 |
| Multiple Dependent Claims (if applicable) | | | | \$0.00 |
| Assignment Recording Fee | | | | \$0.00 |
| Basic Filing Fee | | | | \$740.00 |
| Total Filing Fee | | | | \$ 1,190.00 |

Charge \$ _____ to Deposit Account 50-1302 pursuant to 37 CFR § 1.25. At any time during the
 pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all
 overpayments to above deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: Cheryl A. Eichstaedt
 Cheryl A. Eichstaedt, Reg. No. P50,761

Date: December 28, 2001

Correspondence Address:



29989

PATENT & TRADEMARK OFFICE

I hereby certify that this is being deposited with the U.S. Postal
 Service "Express Mail Post Office to Addressee" service under
 37 CFR § 1.10 on the date indicated below and is addressed to:

Commissioner for Patents
 Box Patent Application
 Washington, D.C. 20231

By: Tirena Say

Typed Name: Tirena Say
 Express Mail Label No.: EL734971193US
 Date of Deposit: December 28, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision,
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$)**1,190.00**

Complete if Known

Application Number NYA
Filing Date December 28, 2001
First Named Inventor David J. LONG, et al.
Examiner Name NYA
Group/Art Unit NYA
Attorney Docket No. 50277-1767

METHOD OF PAYMENT (check one)

1. ☒ Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit
Account
Number

50-1302

Deposit
Account
Name

Hickman Palermo Truong & Becker, LLP

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

3. ☐ Applicant(s) is entitled to small entity status.
See 37 CFR 1.27

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 101 | 740 | 201 | 370 | Utility filing fee | 740.00 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)**740.00**

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from Below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 45 | -20**= 25 | 18.00 | = 450.00 |
| Independent Claims | 2 | -3**= 0 | 84.00 |
| Multiple Dependent | | | |

**or number previously paid, if greater; For Reissues, see below

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)**450.00**

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|-----------------------------------|--------|--------------|--------|--|----------|
| Fee Code | Fee \$ | Fee Code | Fee \$ | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 690 | 246 | 345 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 690 | 249 | 345 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| Other fee (specify) | | | | | |
| Other fee (specify) | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | |
| SUBTOTAL (3) (\$) 0.00 | | | | | |

SUBMITTED BY

Name (Print/Type) Cheryl A. Eichstaedt

Registration No.
(Attorney/Agent)

P50,761

Complete (if applicable)

Telephone

(408) 414-1080

Date

December 28, 2001

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Patent Applications, Commissioner for Patents, Washington, DC 20231.

OID 2001-126-01

Express Mail No. EL734971193US

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | | | |
|----------------------|------------------------------------|--|--|
| First Named Inventor | David J. LONG, et al. | | |
| Title | CATEGORIES ON A PER INSTANCE BASIS | | |
| Atty. Docket Number | 50277-1767 | | |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 26, 2001

Date

Cheryl A. Eichstaedt

Signature

Cheryl A. Eichstaedt (Reg. No. P50,761)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Patent Applications, Commissioner for Patents, Washington, DC 20231